

Serial No. : 10/796,816
Filing Date : March 9, 2004
Page 13

RECEIVED
CENTRAL FAX CENTER

FEB 16 2007

REMARKS

The undersigned wishes to thank Examiner Charles Greenhut and Supervisor Chuck Fox for the courtesies extended to attorneys Frederick Burkhart and Matt Kendall during the interview conducted at the Patent Office on February 7, 2006. The amendments and remarks presented herein are believed to be fully responsive to the Office Action of October 16, 2006, and are fully supported by the application as originally filed. No new matter has been entered. Accordingly, reconsideration is respectfully requested.

DISPOSITION OF THE CLAIMS:

Claims 12-16, 18-28, 30-45 and 47-57 are pending in the application. Claims 1-11, 17, 29 and 46 have been cancelled. Claims 12, 22-24, 30, 36, 41, 44, 47, 51 and 52 have been amended. Claims 53-57 have been added.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

Claims 12-52 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,509,538 to Spindler. Because Spindler does not disclose every element claimed in the present invention, applicant traverses the rejection. The arguments included in the previous Responses are herein incorporated by reference.

With respect to the claims drawn to a method of picking products in a pick-to-light system, including claims 12 and 41, and new claim 53, these claims have been amended to clarify that the claim element of "indicating a product or products" further comprise "marking each tote with an identifier and displaying said identifier near the product or products to be picked and placed in the identified tote." Spindler does not disclose a method including marking a carton with an identifier or displaying such an identifier on a display near products to be placed in that particular carton. Thus, it is respectfully submitted that Spindler does not anticipate or render obvious the present invention as claimed in claims 12, 41 or 53.

With respect to the claims drawn to a pick-to-light system, including claims 24 and 30, and new claim 57, these claims have been amended to clarify that each tote is marked with an identifier. Further, a control system includes a display which displays the identifier of the tote near the product or products to be picked and placed in that identified tote.

Serial No. : 10/796,816
Filing Date : March 9, 2004
Page 14

Spindler does not disclose a system in which cartons, are marked with an identifier that is displayed on a display near products to be placed in that particular carton. Thus, it is respectfully submitted that Spindler does not anticipate or render obvious the present invention as claimed in claims 24, 30 or 57.

For at least the reasons stated above, withdrawal of the rejection of claims 12-52 under 35 U.S.C. § 102(b) is requested. Issuance of a Notice of Allowance is earnestly requested.

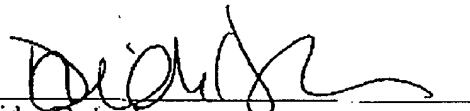
If Examiner Greenhut has any questions, he is requested to call the undersigned attorney.

Respectfully submitted,

LELAND N. SAUNDERS et al.

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

Date: February 16, 2007


Deidre D. Link
Registration No. 57 184
2851 Charlevoix Drive, S.E.
P.O. Box 888695
Grand Rapids, MI 49588-8695
(616) 975-5500

DDL:wen
Enclosures